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14 Attorneys for Defendant
15 MERCK & CO., INC. and Defendants and
Counterclaimants MERCK SHARP &
DOHME CORP. and ISIS
16 PHARMACEUTICALS, INC.

20 GILEAD SCIENCES, INC.,

21 Plaintiff and
22 Counterdefendant,
23 v.
24 MERCK & CO., INC. (Defendant only), MERCK
SHARP & DOHME CORP., and ISIS
25 PHARMACEUTICALS, INC.
26 Defendants and
27 Counterclaimants .

Case No. 3:13-cv-04057-JSW

28 **STIPULATION AND [PROPOSED] ORDER
TO EXTEND DEADLINE FOR
DEFENDANTS' DISCLOSURE OF
ASSERTED CLAIMS AND INFRINGEMENT
CONTENTIONS AND DOCUMENT
PRODUCTION ACCOMPANYING
DISCLOSURE**

Ctrm: 11, 19th Floor
Judge: Honorable Jeffrey S. White

1 WHEREAS, Defendant Merck & Co., Inc. and Defendants and Counterclaimants Merck Sharp &
2 Dohme Corp. and Isis Pharmaceuticals, Inc.'s (collectively "Defendants") Disclosure of Asserted Claims
3 and Infringement Contentions (the "Disclosures") and accompanying document production required by
4 the Patent Local Rules 3-1 and 3-2 are currently due to be served February 25, 2014;

5 WHEREAS, Defendants' counsel have requested an extension of time to serve the Disclosures
6 and accompanying document production due to a personal family emergency;

7 WHEREAS, Gilead has agreed to stipulate to the additional time;

8 WHEREAS, the requested time modification will not alter the date of any other event or deadline
9 already fixed by Court order;

10 NOW, THEREFORE, pursuant to Civil Local Rule 6-2, Plaintiff Gilead Sciences, Inc. and
11 Defendants hereby stipulate that Defendants shall have ten (10) additional days with which to serve the
12 Disclosures and accompanying document production. Accordingly, Defendants shall serve these on or
13 before March 7, 2014.

14 Dated: February 19, 2014

15 STEPHEN S. RABINOWITZ
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22 By: /s/ Laura E. Miller

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24 LAURA E. MILLER

25 Attorneys for Defendant MERCK & CO.,
26 INC. and Defendants and Counterclaimants
27 MERCK SHARP & DOHME CORP. and
28 ISIS PHARMACEUTICALS, INC.

29 **ADDITIONAL SIGNATURE ON FOLLOWING PAGE**

1 Dated: February 19, 2014

FISH & RICHARDSON P.C.

2 By: /s/ Douglas E. McCann

3 JOHN M. FARRELL
4 TAMARA FRAIZER
5 JUANITA R. BROOKS
6 DOUGLAS E. MCCANN
7 ELIZABETH M FLANAGAN
8 GREGORY ROBERT BOOKER
9 ROBERT M OAKES
10 JONATHAN ELLIOT SINGER

11 Attorneys for Plaintiff and Counterdefendant
12 GILEAD SCIENCES, INC.

13 **FILER'S ATTESTATION**

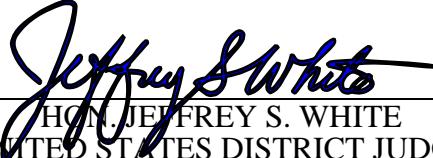
14 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Laura E. Miller, attest that concurrence in
15 the filing of this document has been obtained.

16 Dated: February 19, 2014

17 /s/ Laura E. Miller
18 LAURA E. MILLER

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

20 Dated: February 24, 2014

21 
22 HON. JEFFREY S. WHITE
23 UNITED STATES DISTRICT JUDGE